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UNCLAS SECTION 01 OF 03 PODGORICA 000213

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E.O. 12958: N/A  
TAGS: [EINV](#) [KIDE](#) [MW](#)  
SUBJECT: 2007 REPORT ON INVESTMENT DISPUTES - MONTENEGRO

REF: STATE 55422

MONTENEGRO

Below is the Montenegro submission for the 2007 report on investment disputes and expropriation claims. The Embassy is aware of six claims by U.S. citizens related to property expropriations that are outstanding against Montenegro. All were previously in Post's 2006 report. The Post is not aware of any new cases of property restitution claims.

#### INVESTMENT DISPUTES

Post is not aware of any investment disputes involving American companies in Montenegro.

#### PROPERTY EXPROPRIATIONS

[1](#)1.

a) Claimants A (involves three claimants; all three are American citizens)

b) 1981

c) Claimants' property, a house under construction and a stable, is located in Ulcinj. Two of the claimants inherited property from the father. In 1981, a part of the property was expropriated from the father (the size of the property was over 5,000 m2). One part of the expropriated property is used for the City's Bus Station and parking, whereas the rest of the property remains vacant. The claimants were unable to use the rest of the property (which is over 3,000 m2), since no possible access to the property was left. The father was never compensated for facilities that were on the property.

The claimants filed a claim for restitution of the property in December 2004 and addressed this issue to the President of the Republic, Prime Minister of the Republic, President of the Supreme Court, Municipality of Ulcinj, and the District Court in Ulcinj. The claimants requested access to their property by

cars and agricultural machines, restitution of unused part of the property and compensation of the part used by the Bus Station and parking. The claimants submitted a claim to defer the proposed sale of the bus station, but a decision has not been made.

Last contact, from claimant to Post, was in June 2005.

[12.](#)

a) Claimant B

b) 1967

c) Claimant's property is located in Cetinje. The property was confiscated in 1967.

Post does not have information on the size of property and an estimated value of the property.

Last contact, from claimant to Post, was in July 2005.

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[13.](#)

a) Claimants C (involves two American citizens)

b) 2004

c) Claimant's property is located in Lastva, Municipality of Kotor. In March 2005 the claimant visited Montenegro with the intent of beginning the process of building a family vacation home on the land. An official in the planning office in Kotor told the claimant that the land had been rezoned within the last year as a "green" belt and agricultural area and therefore no building would be allowed. There was a locally advertised appeal period during which resident landowners in the affected area were notified and did appeal and were granted building variances. The claimant was never notified and thus was denied any possibility of appealing. The claimant addressed this issue to the Mayor of Kotor and to the U.S. Consulate in Podgorica.

The total land area and estimated value are unknown.

Last contact, from claimant to Post, was in July 2006.

[16.](#)

a) Claimant D

b) 2004

c) Claimant's property is located in Igalo, Municipality of Herceg Novi. Property was confiscated by the Communist regime. The case was forwarded to the Embassy in Belgrade in July 2004.

The claimant contacted Embassy in January 2007 and informed the Embassy that he had hired an attorney, but he had little success with his efforts to get a hearing of his claim. Each plea was denied, according to the claimant.

The Embassy sent an inquiry to Municipality of Herceg Novi on January 26, 2007, asking about the status of the case. As of June 2007 there was no response regarding the case status from the municipality authorities.

15.

a) Claimant E

b) 2000

c) Claimant's property, inherited from father, is located in Gusinje, Municipality of Plav. The claimant's property, a family house, was taken in 1985 by the company AD "Plavsko jezero" ("The Lake of Plav") without claimant's consent.

The claimant filed an appeal to the Higher Court in Bijelo Polje in order to seek the return of her property and/or obtain compensation from AD "Plavsko jezero". The Higher Court in Bijelo Polje denied the appeal. The claimant addressed this issue to the U.S. Consulate Podgorica in April 2006. The Mission sent a letter on July 11, 2006, to the President of the

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Basic Court in Plav asking that it take necessary measures for rapid and just solution on the dispute.

Last contact, from claimant to Post, was in June 2006.

16.

a) Claimants F

b) 1965

c) Claimant's property, inherited from grandparents, is located in Danilovgrad. The claimant filed for property restitution in May 2005. The case was forwarded to the Consulate in Podgorica in September 2005.

Post does not have an estimated value of the property and other details.

Last contact was in July 2006. The claimant informed the Post that he would give up on his request for property restitution.

Montenegro:

Claimant A: Joseph Briskovic, Luc Brisku, Ibrahim Musovic

Claimant B: Miomir Vukmanovic

Claimant C: Mary Duletich Ellerd, Anne Preston

Claimant D: Spiro Jankovich

Claimant E: Raza Sinanaj

Claimant F: Serge Babic

BARNES